

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

John M. Gaskin and Rhonda Gaskin,)
Plaintiffs,)
vs.) No. 08-4284-CV-C-FJG
Arthur C. Hobgood,)
Defendant.)

ORDER

Pending before the Court is Plaintiff's Second Motion in Limine (Doc. No. 79).

I. BACKGROUND

This case is the result of an automobile accident, and is in federal court on the basis of diversity jurisdiction. Plaintiffs are John and Rhonda Gaskin from Lawrence, Kansas, and defendant is Arthur Hobgood of Warsaw, Missouri. On June 3, 2006, plaintiff John Gaskin was the passenger in a 1998 White Plymouth van, and plaintiff Rhonda Gaskin was the driver of the van. Rhonda Gaskin stopped at a stop sign at an intersection, and plaintiffs allege that defendant was negligent and ran into the rear of plaintiff's stopped vehicle with his 2005 Dodge pickup. As a result, plaintiffs allege that John Gaskin received injuries to his legs, back, neck, migraine headaches, elbow, face, body and aggravation of his prior condition of Lupus syndrome. Plaintiffs also allege that John Gaskin has incurred expenses on account of medical treatment, pain and suffering, and loss of income, as well as property damage to the 1998 Plymouth van. Plaintiff Rhonda Gaskin alleges a claim for loss of consortium.

II. PLAINTIFFS' SECOND MOTION IN LIMINE (Doc. No. 79)

Plaintiffs have moved for an order in limine to exclude evidence of plaintiff John Gaskin's current and past employment and income. Plaintiffs assert that this evidence is irrelevant as they are not making a claim of loss of income in this matter. Defendant filed

no opposition to the pending motion.

Ruling: **Sustained. No claims for damages due to loss of income shall be presented in this case.**

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.

Fernando J. Gaitan, Jr.

Chief United States District Judge

Dated: 05/27/10
Kansas City, Missouri